

# The Washington State Funeral & Cemetery Board

## Department of Licensing

### NEWS BULLETIN

Summer 2010

## What's New

Welcome to the Summer 2010 edition of the Funeral and Cemetery Board electronic news bulletin! We will publish this brief newsletter periodically, with news about board and program activities. Be sure to visit the board's [website](#) for additional information and updates.

### Licensing fees

In September 2009, funeral and cemetery licensing fees were increased to meet the department's responsibility to ensure the revenue generated covers the costs of administering the programs, per RCW 43.24.086.

Based on current and projected fund balances, the fees need to be increased again. The board reviewed several fee proposals, taking into consideration that industry recommended they would rather see smaller fee increases more regularly, as opposed to large increases less often. At the August 2010 meeting, the board voted to recommend the Department of the Licensing start the rule process for a fee increase. Look for notifications about the rule change and opportunities to provide input in the next several months.

Summary of proposed increases	
Funeral:	Cemetery:
\$10 per individual fee	\$1.50 per cremation fee
\$25 per business renewal fee	\$25 per prearrangement renewal
\$1.50 per cremation fee	No change to per burial fee
No change to business application fees	No change to business application fees
No change to exam fees	
No change to duplicate fees	

### New board policy about funeral establishment advertising

At the August 10 meeting, the board adopted a policy stating use of post office boxes in funeral establishment advertising does not constitute false, deceptive or misleading advertising, nor does it constitute unprofessional conduct.

## Board News

### Decisions and discussion topics from the August board meeting

Meeting minutes are available on our [website](#), or attend the meetings in person to hear the complete discussions.

#### **Alkaline Hydrolysis** (resomation, bio-cremation):

Alkaline hydrolysis is a new technology offering an alternative to cremation. It reduces human remains to bone ash using water and potassium hydroxide unlike cremation, which uses direct flame (incineration).

Though this technology has been used in the medical and veterinary professions for some time, it is relatively new to the funeral industry.

The board recognizes the need to regulate this technology and asked staff to consult with other government agencies that may have an interest in it from a regulatory perspective. Legislative changes are necessary before this practice is available in Washington State.

### 2010-11 Board Meeting Schedule

Meeting agendas and minutes will be published on our [website](#) as they become available.

November 9, 2010	All meetings start at 9 AM and will be held at the Department of Licensing office in Olympia:
January 25, 2011	
April 26, 2011	
August 23, 2011	405 Black Lake Blvd SW Olympia WA 98502.
November 15, 2011	

### Date of Disposition on Death Certificates/When to use an Affidavit of Correction:

The Department of Health's (DOH) informal [practice](#) has been to accept death certificates for filing that are within two days of the actual date of disposition, without requiring an Affidavit of Correction to be filed. DOH asked for the Funeral & Cemetery Board's input for new policy development, and will move forward with a draft recommending a five-day filing period.

### Complaints and Disciplinary Activity

The Funeral and Cemetery Board regulates the industry by investigating complaints of unprofessional conduct, negligence and incompetence against licensees, and issues of unlicensed practice. When a complaint is received by the board, an initial investigation is started to gather information about the situation, and usually involves contact with the subject of the complaint (the respondent). A board member is assigned as a case manager and serves as the technical expert. The investigation process can be lengthy and the case has several possible outcomes. The case may be closed by the board with no further action if not enough evidence is found to support the complaint. For more serious issues, the board may issue a statement of charges against the respondent, with sanctions for each offense. The respondent has an opportunity for a settlement conference to negotiate the sanctions or can ask for a hearing before the board.

Open complaint cases	
Funeral	15
Cemetery	6

#### Disciplinary action

The Board accepted agreed orders against two licensees and took the following actions:

Case number & respondent	Allegation	Board Action
2008-08-2602-00FDE Philip Sutton	Unprofessional conduct	The board ordered Mr. Sutton's license to practice as a funeral director be voluntarily surrendered and he never practice as a funeral director in the state of Washington. Mr. Sutton shall also return to the board all copies of credentials which reflect a current expiration date, never reapply for licensure in Washington, and never apply for licensure in any other state.
2009-04-2601-00FDE Gaffney Funeral Home	Unprofessional conduct	The board reprimanded the funeral establishment license of Gaffney Funeral Home and assessed a fine of \$2000 for allowing a burial to take place before obtaining a Burial Transit Permit.

#### Closed complaint cases

The cases below were closed with no further action at the August 10, 2010 board meeting:

Case number	Allegation	Board Action
2009-08-2400-00CEM	Unprofessional conduct	The complainant alleged possible negligence from the cemetery's failure to permit the setting of a grave marker. The issue has been resolved and the board accepted the case manager's recommendation to close the case with no further action. The grave marker was set after the cemetery charges were paid.
2009-09-2401-00CEM	Unprofessional conduct	The complainant alleged rude behavior of the cemetery operator and cited a broken water line as a violation. The case manager found the water line was accidentally broken while opening the grave for a burial. The burial took place after the water line was fixed and there was no violation of statute or rule. The board accepted the recommendation to close the case with no further action.
2009-09-2402-00CEM	Unprofessional conduct	The case manager found no violation: the complainant completed concrete work he thought the cemetery should have done on an above ground vault. The complainant made a deduction for the amount owed to the cemetery for the work provided, which was accepted by the complainant and the cemetery manager. The board accepted the recommendation to close the case with no further action.

Case number	Allegation	Board Action
2010-01-2400-00CEM	Unprofessional conduct	The case manager found no evidence of violation. The complaint was about an inconvenience to the family caused by a cemetery operator for checking to see if all cemetery prearrangement costs were paid. The cemetery discovered the cemetery costs were covered under cash advance items on a funeral prearrangement contract. The board accepted the recommendation to close the case with no further action.
2010-02-2400-00CEM	Unprofessional conduct	The complainant requested a full refund regarding the cancellation of a cemetery contract years after initiating the contract, claiming a language barrier was at issue at the time of the original contract sale. The case manager determined there was no evidence to support a violation. The board accepted the recommendation to close the case with no further action.
2010-03-2400-00CEM	Unprofessional conduct	The case manager determined the complainant misunderstood the difference between purchasing a burial right, including additional rights of interment, as opposed to the purchase of real estate. There was no violation of statute or rule. The board accepted the recommendation to close the case with no further action.
2010-03-2401-00CEM	Unprofessional conduct	The complainant questioned the cemetery's removal of a marker. Assessment determined the marker did not comply with the cemetery's size requirements. The cemetery resolved the issue with the family and the case manager determined there had been no violation. The board accepted the recommendation to close the case with no further action.
2010-04-2400-00CEM	Unprofessional conduct	The complaint alleged possible negligence by the cemetery operator for removing a flower box from a gravesite. The case manager found no violation of statute or rule: the cemetery has a set policy for the activity in question and found the flower box to be out of compliance with the established policy. The board accepted the recommendation to close the case with no further action.
2009-11-2602-00FDE	Unprofessional conduct	The complaint alleged a funeral director was rude and allowed changes to be made to funeral instructions and merchandise without consulting the complainant. The case manager found no substantial evidence to support a violation, as the complainant signed off on the changes made. The board accepted the recommendation to close the case with no further action.
2009-12-2602-00FDE	Unprofessional conduct	The complainant wanted documentation to show all items were paid in full on a prearrangement contract and verification they were not paying multiple times. The respondent provided the required information to the complainant. The issue was resolved between the complainant and the respondent and the case manager found no violation. The board accepted the recommendation to close the case with no further action.
2010-03-2600-00FDE	Unprofessional conduct	The complainant was concerned with the funeral establishment's fees. The case manager found all charges were consistent with the General Price List and the family had signed off on them. The case manager found no violation and the board accepted the recommendation to close the case with no further action.
2010-03-2601-00FDE	Unprofessional conduct	The case manager found the respondent took due diligence in attempting to identify next of kin and followed established precedent to use the decedent's money for burial expenses. The charges applied were not excessive and were consistent with other businesses in the area. The case manager found no violation and the board accepted the recommendation to close the case with no further action.

Disciplinary actions are also available on the Department of Licensing's [website](#) and through the [Business and Professional License Search](#).

## Licensee News

Congratulations! The Funeral and Cemetery Board and staff welcome new licensees to the profession.

<b>Funeral Director &amp; Embalmer</b> Jack Norvell	<b>Funeral Establishment</b> Cascade Memorial
<b>Funeral Directors</b> Jason Armstrong Steve Bannon Caleb Burke	<b>Funeral Establishment Branch</b> Funeral Alternatives of Washington, Inc-Lacey
<b>Funeral Director &amp; Embalmer Interns</b> Jonathan Coronado John Davison Nancy Hoult Andrew Kent William Quantrell Bryan Stucky Lisa West	<b>Funeral Director Interns</b> Martha Bryant Heather Callan Iram Figueroa Brian Flowers Ellen Higgins Heather Mitchell Michelle Murray
<b>Prearrangement Sales</b> Cascade Memorial	<b>Crematory</b> Lakewood Crematory, LLC
<b>Embalmer Intern</b> Caleb Burke	<b>Cemetery Certificates of Authority</b> Greenwood Memorial Cemetery

## Best Practices

### Guidelines for disposing or recycling of crematory materials

Licensees periodically contact board staff asking for advice about disposition of crematory metals, such as screws, hinges, prosthetic implants (knee and hip joints etc) that are not consumed during the cremation process. The recent emphasis has been on the recycling of these metals for compensation or the offering of a donation to a charitable organization of the family's choice. At the August meeting, the Board adopted [guidelines](#) for disposal or recycling of crematory materials.

### New Sample Recordkeeping Forms Available

The Board has developed a sample crematory log and refrigeration log available for use, as well as a link to the Dodge Company's embalming report form. To view these forms, look on our [Resources and Publications](#) page.

### Washington's Electronic Death Registration System

The Washington State Department of Health is releasing a new online Electronic Death Registration System (EDRS) to Pierce, Thurston, Mason, Benton, Franklin and Spokane counties in early 2011, with a statewide release to follow. EDRS is an internet-based death filing system for those who file death records in Washington State. EDRS will streamline the death registration process, improve the quality of the death data collected, improve communication among those who file, and use the internet to make filing faster. Visit [www.edrs.doh.wa.gov](http://www.edrs.doh.wa.gov) for more information.

Funeral & Cemetery Board		Washington State Department of Licensing
<b>Mailing address:</b> PO Box 9012 • Olympia, WA 98507-9012	<b>Street address:</b> 405 Black Lake Blvd. • Olympia, WA 98502	<b>E-Mail:</b> <a href="mailto:funerals@dol.wa.gov">funerals@dol.wa.gov</a>
<b>Phone:</b> (360) 664-1555	<b>Fax:</b> (360) 570-7098	<b>Web site:</b> <a href="http://www.dol.wa.gov/business/funeralcemetery">www.dol.wa.gov/business/funeralcemetery</a>